

Tom B. Bacon

From: Thomas B. Bacon [baconlaw@bellsouth.net]
Sent: Monday, March 24, 2008 8:17 AM
To: Leonard, Michael
Subject: Re: Disabled Patriots v. Town & Country

Mr. Leonard,

Thank you for your response. In the usual R. 34 inspection, we inspect all parking, routes of access, common areas of the shopping center, restrooms available for public use, counter heights, aisles in shopping areas, dressing rooms. In other words, all common area and tenant spaces a wheelchair bound disabled person will use.

Best,

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----- Original message from "Leonard, Michael" <michael.leonard@mbtlaw.com>: -----

> Tom, we need to agree on the scope of the Rule 34 inspection, before we can
 > proceed with it. Thanks, Mike Leonard.
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 > Sent from my BlackBerry Wireless Handheld
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 > ----- Original Message -----
 > From: Thomas B. Bacon
 > To: Leonard, Michael
 > Sent: Thu Mar 20 10:48:09 2008
 > Subject: Disabled Patriots v. Town & Country
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 > Dear Mr. Leonard,
 > I telephonically attended the presentation of Defendant's Motion To Dismiss
 > premised on Rule 11 this morning. As you have probably already been informed,
 > the Judge denied all motions to dismiss from the bench. The Judge also denied
 > Plaintiffs' Motion To Compel w ithout prejudice and gave Defendant an additional
 > 21 days to form new responses to the outstanding discovery. Without seeing the
 > written order as of yet, I assume Defendant retains the right to advance new
 > objections to all discovery. In the interest of resolving this case, or at
 > least managing the dispute, I would like to move forward with the Rule 34
 > inspection when the expert and myself will be in town on April 2, in the
 > afternoon. We can table the remaining discovery dispute to another day.
 > Please advise,
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3/24/2008